

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DINÉ CITIZENS AGAINST RUINING OUR
ENVIRONMENT, *et al.*,

Plaintiffs,

V.

UNITED STATES BUREAU,
OF LAND MANAGEMENT, *et al.*,

Federal Defendants.

Case No. 1:20-cv-00673-KG-JHR

ORDER VACATING RULE 16 CONFERENCE AND SETTING BRIEFING SCHEDULE

This matter comes before the Court on the Parties' Joint Motion To Vacate Rule 16 Conference and Set Briefing Schedule. The Court finds the Motion well-taken, and GRANTS the Motion. The Rule 16 conference scheduled for November 10, 2020 is hereby VACATED.

The Court hereby adopts the briefing schedule proposed in the Parties' Joint Case Management Plan (ECF No. 28).

IT IS HEREBY ORDERED that:

1. On or before December 15, 2020, Federal Defendants shall serve a draft administrative record on the Parties. The record shall be on a searchable USB drive.
2. On or before January 22, 2021, Plaintiffs and Intervenor Defendants shall advise Federal Defendants in writing of any objections to the administrative record. The Parties shall work to resolve any such record objections out of Court and prior to filing any motions to

complete the administrative record or for extra-record review with the Court.

3. On or before February 18, 2021, Federal Defendants shall lodge the administrative record with the Court. The record shall be on a searchable USB drive. If Federal Defendants have agreed to amend the record pursuant to the Parties' efforts to informally resolve objections to the administrative record, Federal Defendants will also provide a new copy of the administrative record to the Parties on searchable USB drives.

4. Any motions to complete the administrative record or for extra-record review shall be filed on or before February 19, 2021.

5. If any motion(s) to complete the administrative record or for extra-record review are filed, the schedule for briefing on such motion(s) will comply with D.N.M.LR-Civ. 7.4.

6. If any motion(s) to complete the administrative record or for extra-record review are filed, the schedule for merits briefing set forth below shall be of no effect. In such case, the Parties will submit an alternative merits briefing schedule within 14 days of the Court's resolution of the motion(s) to complete the administrative record or for extra-record review.

7. Assuming no motions to complete the administrative record or for extra-record review are filed, briefing on the merits shall proceed on the following schedule:

- Plaintiffs shall file their Motion for Review of Agency Action and supporting brief on or before March 19, 2021.
- Federal Defendants shall file their responding brief on or before April 16, 2021.
- Intervenor Defendants shall file their responding briefs on or before April 23, 2021.
- Plaintiffs shall file their reply brief on or before May 14, 2021.

8. In accordance with *Olenhouse v. Comodity Credit Corp.*, 42 F.3d 1560 (10th Cir.

1994), the length of the Parties' briefs on the merits shall be consistent with Federal Rule of Appellate Procedure 32(a)(7). Plaintiffs shall be permitted to file a single consolidated reply brief of up to 13,000 words.

IT IS SO ORDERED.

Dated: 11/6/2020



JERRY H. RITTER
UNITED STATES MAGISTRATE JUDGE